

RECEIVED

JUN - 1 2009

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

CLARENCE PAYNE

CIVIL ACTION NO. 08-0795

VS.

SECTION P

RICHARD ALLEN, ET AL.

JUDGE DOHERTY

MAGISTRATE JUDGE METHVIN

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that plaintiff's civil rights complaint be **DISMISSED WITH PREJUDICE** as frivolous and for failing to state a claim for which relief might be granted pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i) and (ii).

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 1 day of June, 2009.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE